

**UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF NEW JERSEY
NEWARK VICINAGE**

Plaintiff(s)

MARITZA VIDAL

Civil Action No.:

vs.

Defendant(s)

REGIONAL ADJUSTMENT BUREAU,
A TOTAL RECEIVABLE MANAGEMENT
COMPANY, JOHN DOES, I-V
(fictitious individuals) and ABC
CORP., I-V(fictitious companies)

**COMPLAINT AND DEMAND
FOR JURY TRIAL**

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Maritza Vidal, Plaintiff in the above entitled and captioned matter, by way of Complaint against the Defendants respectfully demand Judgment of this Honorable Court against each Defendant, as follows:

INTRODUCTION

This is an action for damages against all Defendants for violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (hereinafter "FDCPA"). Plaintiff seek actual damages, statutory damages, punitive damages, costs and attorney's fees pursuant to the FDCPA.

JURISDICTION AND VENUE

2. Jurisdiction of this Court arises under 15 U.S.C. § 1692k (d), 28 U.S.C. § 1337, 28 U.S.C. § 1332. Declaratory relief is available pursuant to 28 U.S.C. § 2201 and 2202. Venue in this District is proper in that the conduct complained of occurred here and it is the district where Plaintiff resides. 28 U.S.C. § 1391.

PARTIES

3. Plaintiff, Maritza Vidal is a natural person residing in West New York, New Jersey, and a protected person, as defined in the FDCPA.
4. Defendants Regional Adjustment Bureau, John Does, I-V (fictitious individuals) and ABC Corp I-V (fictitious companies) are domestic and/or foreign corporations engaged in the business of collecting debts in this State.
5. All Defendants are doing business in the State of New Jersey.

REQUEST FOR TRIAL BY JURY

6. Plaintiff requests a trial by jury.

REQUEST FOR EXEMPLARY/PUNITIVE DAMAGES

7. Plaintiff respectfully requests that this Court instruct the jury, as the trier of facts, that in addition to actual, statutory and/or compensatory damages, punitive or exemplary damages may be awarded against the Defendants under the provisions of the FDCPA.

REQUEST FOR COSTS OF LITIGATION AND ATTORNEY FEES

8. Plaintiff respectfully requests that this Court award Plaintiff their litigation expenses and other costs of litigation and reasonable attorney fees incurred in this litigation, in accordance with the provisions of FDCPA.

GENERAL FACTUAL BASIS

9. Plaintiff was at all times a resident of the State of New Jersey.
10. The Plaintiff had an account with Capital One Bank, a credit grantor located in Liverpool, New York.
11. On March 10, 2008, after falling on hard financial times, Ms. Vidal and her husband filed for Bankruptcy protection under Chapter 7 of the Bankruptcy Code.
12. Pursuant to the Code, Ms. Vidal named Capital One Bank as a creditor in their petition and identified their arrears.

13. At the conclusion of her case Ms. Vidal received a discharge of her debts which issued on June 20, 2008.
14. Despite the discharge it appears that Defendant, Regional Adjustment Bureau purchased the debt and began collection efforts.
15. Defendant Regional Adjustment Bureau, reported sent collection letters to Ms Vidal in 2009 in violation of the FDCPA.
16. As a result of these actions, Plaintiff has sustained actual damages, emotional distress and statutory damages.
17. All conditions precedent to the bringing of this action have been performed, waived or excused.
18. Defendants have violated the FDCPA. Defendants' violations include, but are not limited to, the following:
 - (a) The Defendants violated 15 U.S.C. §1692e(2)(A) by falsely representing to the Callenders and the Superior Court of New Jersey the amount of the debt;
 - (b) The Defendants violated 15 U.S.C. § 1692e(2)(A) by falsely representing to the Callenders and the Superior Court of New Jersey the status of the debt;
 - © The Defendants violated 15 U.S.C. § 1692g(a)(3) by failing to give the required notice;
 - (d) The Defendants violated 15 U.S.C. § 1692g(a)(4) by failing to give the required notice;
 - (e) The Defendants violated 15 U.S.C. § 1692g(a)(5) by failing to give the required notice;
 - (f) The Defendants violated 15 U.S.C. § 1692e(10) by giving false information and making false representations to the Plaintiff.
19. As a result of the above violations of the FDCPA, the Defendants Regional Adjustment Bureau,, John Does, I-V (fictitious individuals) and ABC Corp I-V (fictitious companies) are liable to the Plaintiff for declaratory judgment that their conduct violated the FDCPA, and for Plaintiff's actual damages, statutory damages, punitive damages, costs and attorney's fees.

WHEREFORE, Plaintiff respectfully prays that judgment be entered against the Defendants, Regional Adjustment Bureau,, John Does, I-V (fictitious individuals) and ABC Corp. I-V (fictitious companies) for declaratory judgment that Defendants' conduct violated the FDCPA, and declaratory and injunctive relief for such; actual damages; statutory damages pursuant to 15 U.S.C. § 1692k; punitive damages; costs and reasonable attorney's fees, pursuant to 15 U.S.C. § 1692k, and for such other and further relief as may be just and proper.

GREENBERG MINASIAN, L.L.C.
Attorneys for Plaintiff Trenice Jackson

Date: May 20, 2009

S/ William S. Greenberg
WILLIAM S. GREENBERG
GREENBERG MINASIAN, L.L.C.
80 MAIN STREET - SUITE # 450
WEST ORANGE, NJ 07052
(973)325-7711
Attorney ID No. (WSG-4659)